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TAGS: [PHUM](#) [PREL](#) [PGOV](#) [PREF](#) [PINR](#) [RS](#)
SUBJECT: RUSSIA JUSTICE INITIATIVE REFUSED, AGAIN

REF: 06 MOSCOW 12637

Classified By: Pol M/C Alice G. Wells. Reasons 1.4 (b and d).

¶1. (C) Summary: The Federal Registration Service again refused re-registration (reftel) of the NGO Russia Justice Initiative (RJI) on January 19. There is some evidence that the refusal may be due to greater attention to distinctions among NGO categories that exist in Russian law. Several other NGOs implementing projects have chosen to register as branch offices. End Summary.

¶2. (C) RJI Executive Director Ole Solvang told us January 22 that Federal Registration Service (FRS) argued that the RJI should have sought registration as a branch office of its Netherlands headquarters rather than as a representative office. (Note: Branch offices have broader functions under Russian law, particularly the right to implement programs. This distinction has previously made little difference for most NGOs.) Solvang said that this issue had not arisen in earlier consultations with FRS, nor in its consideration of RJI's previous applications.

¶3. (C) The always changing requirements made Solvang suspect that the FRS was not acting in good faith. Although it was possible to conclude that the motives for the refusal were political, Solvang noted that NGO registration was complicated, and that there were other possible explanations, such as evolving regulations and interpretations of the law or the reactions of lower-level officials to what they perceived as "signals" from their superiors.

¶4. (C) The refusal coincided with the European Court ruling against Russia in a case brought by RJI. The court found Russian forces had tortured two Chechen brothers in 2000. It had earlier ruled in favor RJI clients in two other cases brought against Russia over the conduct of its forces in Chechnya. Solvang said the FRS refusal should not affect RJI's preparation of cases for the European Court of Human Rights on behalf of other Chechens allegedly subjected to human rights abuses. Although work at its Moscow office remained suspended, a partner Russian NGO in the North Caucasus continued meeting with clients and working their cases. Funding was provided directly to the local NGO from the Netherlands. Solvang acknowledged that the Moscow office continued to assist in preparing cases, but its work was camouflaged by having casework sent to its headquarters for final signature. The NGO's directors and he were discussing next steps and a possible public statement.

¶5. (C) COMMENT: There is some evidence that, in fact, the refusal can be traced to greater attention to distinctions that exist in the law. Several other NGOs implementing projects have chosen to register as branch offices. ABA/CEELI, an USAID-funded NGO that also provides legal assistance, was recently told by the FRS official reviewing

its application that it was more appropriate for it to register as a branch office. It accordingly withdrew its application and will attempt to re-register as a branch.

BURNS